

Specialist 2 by the closing date and be serving in that title as of the closing date. The appellant insists that he meets both of these elements and is eligible for the examination when his service in the title of Human Services Specialist 2 prior to his resignation is taken into account. In support, the appellant submits various exhibits.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)1 provides that applicants for promotional examinations must have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open. Aggregate service shall be calculated in the same manner as seniority as set forth in *N.J.A.C.* 4A:4-2.15. *N.J.A.C.* 4A:4-7.10(d) provides that seniority commences as of the date of regular reemployment.

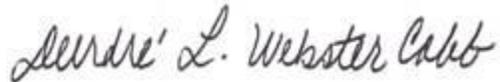
In this matter, the appellant was properly deemed ineligible for the subject examination as he did not possess the required one year of *continuous* permanent service in the title of Human Services Specialist 2 as of the closing date. The appellant's resignation in good standing from his position as a Human Services Specialist 2, effective March 26, 2021, constituted a break in service. *See, e.g., In the Matter of William Munyon* (CSC, decided November 23, 2016) (Commission held that Munyon, a Trooper, had a break in service when he resigned in good standing as a Senior Correction Officer to enter the New Jersey State Police Academy). If the appellant had obtained a leave of absence from the Board to serve with Treasury, it would not have been considered a break in service, and he could have aggregated the entirety of his permanent service in the title of Human Services Specialist 2 to meet the eligibility requirements for the subject examination. *See In the Matter of George L. Venturi, et al.* (MSB, decided June 2, 1998). However, the appellant did not do so. Thus, in accordance with *N.J.A.C.* 4A:4-2.6(a)1 and *N.J.A.C.* 4A:4-7.10(d), because the appellant left the organizational/unit scope and incurred a break in service, he cannot aggregate his service as a Human Services Specialist 2. *See In the Matter of Steven Hadley* (CSC, decided April 6, 2011) (To allow an individual who resigned to aggregate his or her prior service in order to be found eligible for a promotional examination would be unfair to all of the applicants who were deemed eligible to compete in the promotional examination who did not leave the organizational unit and served the required time without a break in service). As such, the appellant was properly deemed ineligible for the subject examination as he did not possess the required one year of *continuous* permanent service in the title of Human Services Specialist 2 as of the closing date. Accordingly, the appellant has failed to meet his burden of proof in this matter, and a sufficient basis exists in the record to support Agency Services' determination that the appellant was ineligible for the subject examination.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 1ST DAY OF DECEMBER 2021



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